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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Henry Yu et al..

Application No. 09/975,273

Filed: October 12, 2001

For: MULTI-LAYER CELL
ENCAPSULATION FOR TISSUE
ENGINEERING APPLICATIONS

Group Art Unit: 1651

Examiner: TO BE ASSIGNED

Atty Docket: 004814.00003

RESPONSE TO "NOTICE TO FILE MISSING PARTS"

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION--
FILING DATE GRANTED** dated November 9, 2001, Applicants submit herewith the
following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Sheet Form PTO/SB17 (In Duplicate);
2. Copy of the Notice to File Missing Parts;
3. Petition for a One-Month Extension of Time;
4. Executed Declaration for Patent Application;
5. Executed Assignments with cover sheets (2); and
6. Information Disclosure Statement with Form PTO-1449 and copies of the cited
art.

The Assistant Commissioner for Patents is authorized to charge our Deposit Account No. 19-0733 the amount of **\$320.00**, as follows:

\$130.00 Surcharge for Late Filing of executed Declaration;

\$110.00 Petition for One-Month Extension of Time; and

\$ 80.00 Recordation of Assignments (2).

It is not believed that any additional fees for extensions of time or fees for net addition of claims are required. However, in the event that additional fees are necessary, then such fees are authorized to be charged to our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: 2/8/02

By: Paul M Rivard

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11th Floor
Washington, D.C. 20001
(202) 508-9100

Paul M. Rivard
Registration No. 43,446

FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

AMOUNT OF PAYMENT (\$) 320

Complete if Known

Application Number 09/975,273

Filing Date October 12, 2001

First Named Inventor Henry Yu et al.

Examiner Name TO BE ASSIGNED

Group / Art Unit 1651

Attorney Docket No. 004814.00003

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-0733

Deposit Account Name BANNER & WITCOFF, LTD.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES

Total Claims 20 ** = 0 X = 0

Independent Claims 3 ** = 0 X = 0

Multiple Dependent X = 0

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	80
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 320

SUBMITTED BY

Name (Print/Type) Paul M. Rivard Registration No. Attorney/Agent 43,446 Telephone (202) 508-9100

Signature *Paul M. Rivard* Date 2/8/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,273	10/12/2001	Harry Yu	004814.00003

22907
BANNER & WITCOFF
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CONFIRMATION NO. 8862

FORMALITIES LETTER



Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/12/2002 MBERHE 00000017 190733 09975273
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